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5  
6 **UNITED STATES DISTRICT COURT**  
7 **NORTHERN DISTRICT OF CALIFORNIA**

8 UNITED STATES EX REL. DAVID SHU,

9 Plaintiffs,

10 v.

11 NANCY HUTT, OLIVERIO LEON  
12 BACILIOS, DONALD SWARTZ, AND  
PRISCILLA JENG RIVERA.

13 Defendants.

14 Case No.: 21-cv-06536-HSG

15 **RESPOND TO 10/19/2021 ORDER**  
16 **FOR 21-cv-01292 CASE AND**  
**MOTION TO QUASH ILLEGALLY**  
**APPLIED HONORABLE JUDGE**  
**JAMES DONATO'S ORDER TO**  
**THIS CASE/POSTED AFTER ONE**  
**YEAR ON 10/4/2022 Dkt#22;**  
**ORDER**

20 On 04/11/2022 at 10:23 AM Hon. Haywood S. Gilliam, Jr. directed the Clerk to file  
21 Dkt. No. 19 of 21-cv-01292-HSG case Order re Judicial Disqualification, to *Shu*  
22 v. *United States of America*, 4:20-cv-06536-HSG. (*This is a text-only entry*  
23 *generated by the court. There is no document associated with this*

24 *entry.*) (hsglc2, COURT STAFF) (Filed on 4/11/2022) Modified on 4/12/2022 to

1 clarify the correct docket entry to be filed in related case. (hsclc2, COURT  
2 STAFF). (Entered: 04/11/2022)

3 Plaintiff, David Shu, hereby respectfully submits his objection to illegally  
4 apply and post Honorable Judge JAMES DONATO's Order to different case.  
5 Honorable Judge JAMES DONATO's Order was made for case 21-cv-01292-  
6 HSG ONLY and cannot be applied and posted to another case including this  
7 case. The record shows clearly that Honorable JAMES DONATO's ruling was  
8 based on reviewing 21-cv-01292-HSG case ONLY and cannot be illegally  
9 applied and used to other case(s) universally NOT been reviewed by Honorable  
10 JAMES DONATO and/or other Judges Therefore if the Court illegally applied  
11 JAMES DONATO's Order for 21-cv-01292-HSG to this case, is invalid and  
12 10/4/2022's posting must be squashed. This is another example that Judge  
13 Haywood S. Gilliam's showed persistent prejudice against the Plaintiff and  
14 continuously did whatever he can just arbitrarily get rid of Plaintiff's case.

15 Furthermore, Judge Haywood S. Gilliam, Jr. voluntary disqualified himself  
16 for this case and must be reviewed by Honorable JAMES DONATO's or  
17 another judge based on Judge Haywood S. Gilliam, Jr. action/reason(s) to  
18 disqualify himself.

19 .  
20  
21 Dated: October 7<sup>th</sup>, 2022

Respectfully submitted,

22  
23 /s/ David Shu  
24 David Shu, Plaintiff

25 ORDER

26 DATED: 10/11/2022

